

5750. Misbranding of cottonseed meal and cake. U. S. * * * v. Portland Oil Mill, a corporation. Plea of guilty. Fine, \$50 and costs.
(F. & D. No. 7879. I. S. No. 19746-L.)

On March 5, 1917, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Portland Oil Mill, a corporation, Portland, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 7, 1915, from the State of Arkansas into the State of Michigan, of a quantity of an article labeled in part, "Equity Brand Cotton Seed Meal and Cake," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude fiber (per cent)-----	15.1
Crude protein (per cent)-----	33.0
Total nitrogen (per cent)-----	5.28
Total ammonia (per cent)-----	6.42

This product contains less ammonia, less protein, less nitrogen, and more crude fiber than it is labeled to contain.

Misbranding of the article was alleged in substance in the information for the reason that the statements borne on the tags attached to the sacks, regarding the article and ingredients and substances contained therein, to wit, "guaranteed analysis, ammonia not less than 8 per cent, protein not less than 41 per cent, nitrogen, not less than 6½ per cent, * * * crude fiber not more than 10 per cent," was false and misleading in that it represented that the article contained not less than 8 per cent of ammonia, not less than 41 per cent of protein, not less than 6.5 per cent of nitrogen, and not more than 10 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into believing that it contained not less than 8 per cent of ammonia, not less than 41 per cent of protein, not less than 6.5 per cent of nitrogen, and not more than 10 per cent of crude fiber, whereas, in truth and in fact, it contained less than the amounts indicated of ammonia, protein, and nitrogen, and more of crude fiber, to wit, approximately 6.42 per cent of ammonia, approximately 33.00 per cent of protein, approximately 5.28 per cent of nitrogen, and approximately 15.1 per cent of crude fiber.

On March 5, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, Acting Secretary of Agriculture.